

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

ORDER

IT IS HEREBY ORDERED that the report and recommendation of United States Magistrate Judge David D. Noce (#59), filed December 15, 2009 be and is **SUSTAINED**, **ADOPTED** and **INCORPORATED** herein.

IT IS HEREBY ORDERED that Defendant's Motion to Suppress Evidence and Statements (#38) be **DENIED**.

Dated this 7th day of January, 2010.

Stephen N. Limbaugh Jr.
STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE